


UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

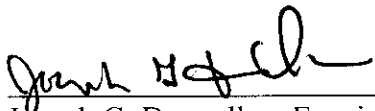
Case No. 04-10754EFH

BENJAMIN FONKEM,
Plaintiff
V.
DEAN O'MALLEY and
TIMOTHY AHERN, in their
individual capacities,
Defendants

DEFENDANT DEAN O'MALLEY'S CERTIFICATION
TO LOCAL RULE 16.1(d)(3)

We hereby certify that we have conferred with a view toward establishing a budget for the costs of conducting the full course and alternative courses of litigation; and to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.


Dean O'Malley
Defendant


Joseph G. Donnellan, Esquire
BBO# 558060
160 Gould Street, Suite 111
Needham, MA 02494
(781) 455-0707

Date:

Aug 3, 2004